



# MEMO ENDORSED

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**BY FACSIMILE**

The Honorable James C. Francis IV  
United States Magistrate Judge, Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 1960  
New York, New York 10007-1312

Re: *Abdell, et al. v. City of New York, et al.* 05 CV 8453 (KMK)(JCF)  
*Adams, et al. v. City of New York, et al.* 05-CV-9484 (KMK)(JCF)

LEAD CASE  
04 CIV 7922 (KMK)  
(JCF)

DOCKET IN BOTH  
CASES

Dear Judge Francis:

Defendants write to request an extension of time in which they have to respond to plaintiffs' motion to compel discovery in the *Abdell* case. On February 28, 2007 the parties made a joint request for an alteration to the briefing schedule of that motion. Based on Your Honor's endorsement of that request defendants' opposition is due on March 9, 2007. Defendants now request an additional three weeks to respond to plaintiff's motion.

First, defendants are still investigating whether certain categories of documents sought in plaintiffs' motion to compel even exist. Second, because defendants have not yet received all of the documents plaintiffs seek (if they exist) and have not reviewed their content, defendants are currently unable to determine the appropriateness of objections for relevance, privilege, etc. Third, defendants have been engaged in preparing the a document production of arrest documents for all 1800 RNC arrestees to all RNC plaintiffs pursuant to the Court's prior order. This production is being sent out tomorrow as stated at the last status conference. Plaintiff has only agreed to an extension up to 5:00 p.m. on March 14, 2007.

For all of the foregoing reasons, defendants request they be permitted to submit their opposition papers on or before Friday, March 30, 2007. Thank you.

3/9/07

Extension to March 14,  
2007 only. *so ORDERED.*  
*James C. Francis II*

Very truly yours,

*Jeffrey A. Dougherty*  
Jeffrey A. Dougherty

cc: Michael L. Spiegel, Esq. (by Facsimile)

*VSM/J*